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APR 12 2005

In re Application of : **OFFICE OF PETITIONS**
E. Seth Harbuck :
Application No. 10/669,275 : DECISION GRANTING PETITION
Filed: September 23, 2003 : UNDER 37 CFR 1.47(b)
For: LOW COST FUEL PUMP AND FILTER :
ASSEMBLY :
:

This is in response to the "Request for Reconsideration of Petition Under 37 CFR 1.47(b)," filed March 23, 2005.

The petition is granted.

Petitioner has shown that the non-signing inventor has refused to join in the filing of the above-identified application after having been presented with the application papers. Specifically, the declaration of Nelson D. Nolte, and the email from Seth Harbuck, establish that the inventor was mailed the application papers, including the specification, claims and drawings, but refused the request that he sign the declaration. In addition, petitioner has shown that PCRC Products (PCRC) has a proprietary interest in the above-identified application with the copy of the assignment document. The petition fee has been paid. Lastly, petitioner has submitted a declaration in compliance with 37 CFR 1.63 and 1.64 and demonstrated that petitioner has shown that such action is necessary to prevent irreparable damage.

This application and papers have been reviewed and found in compliance with 37 CFR 1.47(b). This application is hereby accorded Rule 1.47(b) status.

As provided in Rule 1.47(b), this Office will forward notice of this application's filing to the non-signing inventor at the address given in the petition. Notice of the filing of this application will also be published in the Official Gazette.

The application will be forwarded to the Office of Initial Patent Examination for further processing.

Telephone inquiries regarding this communication should be directed to the undersigned at (571)272-3228.



Edward J. Tannouse
Petitions Attorney
Office of Petitions
United States Patent and Trademark Office



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OFFICE OF PETITIONS

In re Application of
E. Seth Harbuck
Application No. 10/669,275
Filed: September 23, 2003
For: LOW COST FUEL PUMP AND FILTER ASSEMBLY

Dear E. SETH HARBUCK:

You are named as the sole inventor in the above identified United States patent application, filed under the provisions of 35 U.S.C. 118 (United States Code), and 37 CFR 1.47(b), Rules of Practice in Patent Cases. Should a patent be granted on the application you will be designated therein as the sole inventor.

As a named inventor you are entitled to inspect any paper in the file wrapper of the application, order copies of all or any part thereof (at a prepaid cost per 37 CFR 1.19) or make your position of record in the application. Alternatively, you may arrange to do any of the preceding through a registered patent attorney or agent presenting written authorization from you. If you care to join the application, counsel of record (see below) would presumably assist you. Joining in the application would entail the filing of an appropriate oath or declaration by you pursuant to 37 CFR 1.63.

Telephone inquiries regarding this communication should be directed to the undersigned at (571) 272-3228. Requests for information regarding your application should be directed to the File Information Unit at (703) 308-2733. Information regarding how to pay for and order a copy of the application, or a specific paper in the application, should be directed to Certification Division at (703) 308-9726 or 1(800) 972-6382 (outside the Washington D.C. area).

Edward J. Tannouse
Petitions Attorney
Office of Petitions
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